REMARKS

Claims 6-8, and 18-21 are pending in the application. Non-elected claims 1-5, and 9-17 were the subject of the restriction requirement dated April 6, 2007, and are cancelled. Claims 6, 7, and 18 stand rejected by non-final Office Action of June 14, 2007. Claims 8, 19-21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Drawings are objected to as not showing the computer readable media of the claims.

In response, Claim 8 has been rewritten in independent form including all of the limitations of the base claim 6. Claim 18 has been amended to depend from allowable claim 8. Claims 8 and 18 through 21 are now in condition for allowance.

Claims 6 and 7 have been amended.

Figure 80 has been corrected to show the first computer readable medium, second computer readable medium, third computer readable medium, fourth computer readable medium, fifth computer readable medium, and sixth computer readable medium. Corresponding reference numbers have been added in an amendment to the Specification. No new matter has been added. Replacement Sheet 37/40 has been submitted with this amendment.

The status identifiers for claims 1-5 and 9-17 have been changed to "cancelled", to correct the informality noted by the Examiner.

Reconsideration and allowance of all claims is respectfully requested.

ALLOWABLE SUBJECT MATTER
CLAIMS 8, 18-21

The Examiner has indicated that Claims 8, 19-21 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Accordingly, Claim 8 has been rewritten in independent form including all of the limitations of the base claim 6. Claim 8 is now in allowable form.

Claim 18 has been amended to depend from allowable claim 8, instead of claim 6. Claim 18 is now also in allowable form, as dependent upon an allowable independent claim.

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No amendment is necessary to claims 19-21, as they are dependent from allowable claims.

Claims 8, and 18 through 21 are therefore all in condition for allowance.

REJECTION OF CLAIMS 6 AND 7

The Examiner has rejected claim 6 and 7 as anticipated by Patel (US 5,918,191).

Respectfully, Patel does not teach, nor fairly suggest either alone nor in combination, the

contemporaneous calibration of more than one unit under test (referred to as the "test instrument"

in Patel and UUT in the present application).

As shown in Figure 80, the invention permits the calibration of multiple UUT's 58 at the

same time:

> This CPMS, with reference to Figures 80 and 82, comprises a
> calibration process management program 10 (one embodiment
> being the "Calibration Process Manager") which is stored on a hard
> drive memory 54 of a computer 52 which is connected to a
> calibration testing unit 56, and one or more units under test (UUT)
> 58. **It is possible to have multiple UUTs 58 connected and
> tested using the present invention.** p. 6, ll. 18-23 (emphasis
> added)

The ability to test simultaneously multiple UUT's is an important time saving feature of the

invention which can reduce turnaround time for customers who have multiple units of the same

instrument to be calibrated. As is explained in the Specification, this is implemented through the

use of multiple channels:

> Figure 13 is a representation of what the Calibration Process
> Manger main page (Data Collection mode) looks like. The primary
> purpose of the Data Collection section is to facilitate the collection
> of measurement data and the design and execution of automation
> scripts.
>
> **Calibration Process Manager allows for the collection of data
> for more than one instrument simultaneously.** This can be
> done, providing the instruments use the same data sheet. In one
> embodiment, up to eight sets of measurement data can be collected.
> As is evident, a system could be constructed for more or fewer
> sets. Each instrument under test is a "channel" and will display the
> "As Found", "As Left", and "Out of Tolerance" data. All eight

channels can be displayed and edited simultaneously. These
channels are activated and configured independently. p. 8, ll. 2-11.

The Examiner contends, however, that:

> In reference to claim 7, Patel teach wherein the calibration
> management control program permits contemporaneous calibration
> of more than one UUT, and the application program interface is
> configured for contemporaneous calibration of more than one
> UUT, each UUT being an instance of the same UUT equipment
> type. Note claim 7 and note column 6, lines 40-46.

With due respect, the cited portions of Patel do not teach collection of data for more than

one instrument simultaneously. Claim 7 from Patel reads:

> 7. The system of claim 1 said client terminal further comprising:
>
> an automated calibration procedure (ACP) having a real-time
> interface for sending data collected during a calibration job to a
> technical data record corresponding to said calibration work order
> record having a work order identifier that links said work order
> record to **one of said equipment tracking records** corresponding
> to **the test instrument** from which said technical data was
> collected. (emphasis added).

In other words, claim 7 deals with an automated calibration procedure as applied to "one"

equipment record and a single test instrument. Likewise, the cited text from Patel column 6

(including text through line 52) provides:

> The system of the present invention includes an equipment
> tracking table for storing equipment tracking records, each
> equipment tracking record having an unique equipment identifier
> for each test instrument serviced by a calibration laboratory and a
> work order table for storing calibration work order records having
> at least a calibration work order identifier that uniquely identifies a
> calibration job performed by the calibration laboratory, a plurality
> of the calibration work order records being linked to one of the
> unique identifiers for **one of the test instruments serviced by the**
> **calibration laboratory** so that equipment identification data for a
> test instrument is only entered once in the system for all calibration
> jobs performed on the test instrument. C. 6, ll. 39-52.

In other words, Patel teaches a plurality of work orders (each being a separate calibration

event of that single instrument), but each work order is linked to a single "one of the test instruments." The cited text does not teach how to calibrate **multiple** UUT's **contemporaneously** (*e.g.*, at the same time).

This is marked distinction to the disclosure in this case. In Figure 13, it is shown how multiple channels can be used to test multiple UUT's simultaneously (two such channels being shown as active) and how calibration tolerance can be reported for these channels (shaded boxes):

Figure 13

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Further, in Figure 80, the calibration of multiple UUT (58) is clearly shown:
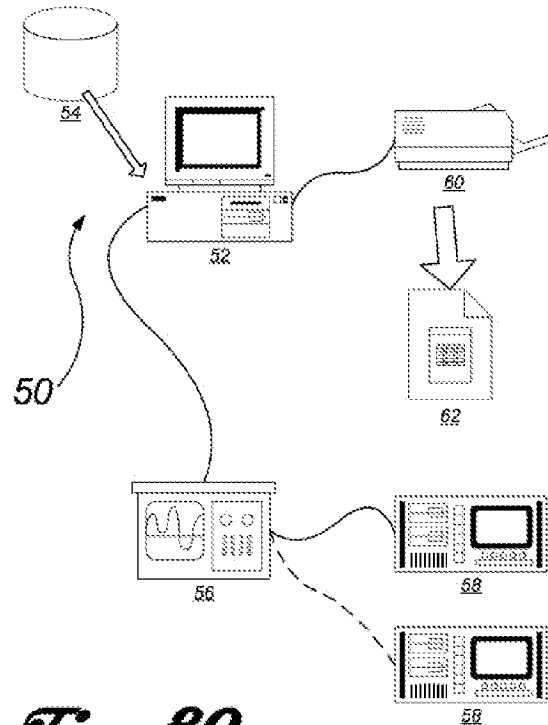

Fig. 80

Patel contains no teaching directed to simultaneous calibration of multiple UUT's, and therefore allowance of claims 6 and 7 is appropriate.

CORRECTION OF THE DRAWINGS

The Examiner has objected to the drawings on the grounds that they do not show the multiple computer readable medium recited in claim 6 (and now claim 8), specifically the first through sixth computer-readable medium. As the Examiner recognized, it is know to those of ordinary skill in the art that a database can serve as multiple computer readable medium, and in addition to separate medium (as would be apparent to one of ordinary skill in the art), memory 54 shown in Figure 80 may comprise the first through sixth computer-readable medium. This is clear from the Specification, which teaches:

> One embodiment of the CPMS of the present invention will now
> be described. It will be understood by those skilled in the art that

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variations in the described embodiment are possible, and that specific aspects of this embodiment are not limitations on the claimed invention. This CPMS, with reference to Figures 80 and 82, comprises **a calibration process management program 10 (one embodiment being the "Calibration Process Manager") which is stored on a hard drive memory 54** of a computer 52 which is connected to a calibration testing unit 56, and one or more units under test (UUT) 58. p. 6, ll. 16-22 (emphasis added)

. . . .

Implementation of the Calibration Process Manager is facilitated by a data structure for recording calibration data from a UUT. Typically, with reference to Figure 80, **this data structure will be stored on a hard drive memory 54** of the computer 52 which is connected to the calibration testing unit 56, and the UUT 58. It is possible to have multiple UUTs 58 connected and tested using the present invention.

As will be known in the art with reference to this disclosure, it would be possible to store a data structure of the present invention on any computer readable medium, such as floppy drives, dismountable hard drives, DVDs, CD-ROM, CD-R, CD-RW, memory cards, and the like. p. 33, ll. 17-24 (emphasis added)

Accordingly, on Figure 80, memory 54 is shown as comprising first computer-readable medium 541, second computer-readable medium 542, third computer-readable medium 543, fourth computer-readable medium 544, fifth computer-readable medium 545, and sixth computer-readable medium 546. An appropriate Replacement Sheet has been submitted with this Amendment.

A corresponding amendment to the Specification calling out the reference numbers has also been made.

CONCLUSION

For the reasons given above, all pending claims are believed to be allowable and a Notice of Allowance is requested.

If the Examiner believes a telephone conference would aid in the prosecution of this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

A three month extension has been requested. The Commissioner is authorized to charge the fee for that extension and any additional fee due to Deposit Account No. 19-2090.

Respectfully submitted,

SHELDON MAK ROSE & ANDERSON PC

DATED: December 13, 2007   By: /Robert J. Rose/
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